

REMARKS

In the Office Action, the Examiner rejected claims 19-38 under 35 U.S.C. §103(a) as unpatentable over Peirce (USPN 4,485,300) in view of Lawlor (USPN 5,220,501). The Examiner also withdrew the rejections based upon Kravitz (USPN 6,029,150). Since Peirce had not been previously cited (and was unknown to Applicant), Applicant could not address the claims in light of that reference. Therefore, entry of the present amendment is requested.

The fundamental difference between Peirce and the disclosed embodiments of the present application is that Peirce is directed to a system to protect credit card issuers, not credit card customers. As such, Peirce does not teach or discuss a system/method to directly protect customers.

Claim 19 has been amended to recite the step of creating a merchant file in the database, the merchant file having merchant banking information. See application specification, page 9. In contrast, Peirce discloses the use of Issuer Parameters 40 as part of the Data Control Center 10 and states that 1) merchants and issuers are linked to the Center 10 and 2) merchants may transmit a request for approval to the Center 10. Peirce does not teach or suggest that either the linking of the merchants/issuers to the Center 10 or the "transmission" of an approval request creates a file that is stored or otherwise associated with the Center 10, especially a file having merchant banking information. Indeed, Peirce contains no reference at all to a merchant file or anything resembling a merchant file. Furthermore, even if Peirce did disclose a customer file or a merchant file, it clearly does not disclose or suggest both. Therefore, Applicant requests that the Examiner withdraw the rejection to claims 19-22.

Claim 22 has been amended to indicate that the predetermined time to transmit a notice to a customer is a time after the occurrence of activity on the customer account (e.g., daily, weekly,

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etc. (see application specification, pages 10, 11)). To the extent that Lawlor does allow for notice to a user, it does so only while a user is actually interfacing with a terminal. Lawlor does not teach or suggest give notice to a customer at a point in the future. Therefore, Applicant requests that the rejection of claim 22 be withdrawn.

Regarding claim 23, the administrative program (as claimed) includes a merchant approval program and a collection program. However, no art has been cited in the Office Action with respect to these two programs. Therefore, Applicant requests that claims 23-33 be allowed.

Claims 26, 27, 35 and 36 have been amended so that the language more closely conforms to that used in the specification. See application specification, page 6. No change in scope is intended by these amendments.

Claim 34 as amended is allowable in light of Applicant's arguments above with respect claim 19 and the use of merchant files. Accordingly, claims 35-37 are also now properly allowable.

Claim 38 was a duplicate of claim 34 and has been canceled.

New claim 39 recites the use of an administrator having a database, the database including a customer file and a merchant file. A merchant approval program is also included as part of the administrative program. Applicant submits that this claim is allowable for the reasons set forth above with respect to claim 19.

In view of the above amendments and remarks, Applicant submits that the application is now in proper form for allowance. Such action is respectfully requested.

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The Commissioner is authorized to charge any fee or credit in the overpayment in connection with this communication to our Deposit Account No. 07-1180.

Respectfully submitted,



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